

ARTICLE 12.00

ESTABLISHMENT OF ZONING DISTRICTS

Section 12.01 -- CREATION OF DISTRICTS

For the purposes of this Ordinance, the City of Midland is hereby divided into the following Zoning Districts as shown on the Official Zoning Map:

AG	Agricultural District
RA-1	Residential A-1 – Single Family Residential District
RA-2	Residential A-2 – Single Family Residential District
RA-3	Residential A-3 – Single Family Residential District
RA-4	Residential A-4 – Single and Two-Family Residential District
RB	Residential B – Multiple-Family Residential District
RD	Residential D – Mobile Home Park District
HP	Historic Preservation Overlay District
COM	Community District
OS	Office Service District
NC	Neighborhood Commercial District
CC	Community Commercial District
RC	Regional Commercial District
D	Downtown District
D-O	Downtown Overlay District
DNO	Downtown Northside Overlay District
C	Circle District
LCMR	Limited Commercial, Manufacturing and Research District
IA	Industrial A District
IB	Industrial B District

Section 12.02 -- ADOPTION OF ZONING MAP

The boundaries of the Zoning Districts listed in Section 12.01 are hereby established as shown on the map titled: Official Zoning Map of the City of Midland, Michigan. The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein.

In accordance with the provisions of this Ordinance and Michigan Public Act 207 of 1921, as amended, changes made in district boundaries and other matters portrayed on the Zoning Map shall be entered on the Zoning Map after the amendment has been approved by the City Council and has been published in a newspaper of general circulation in the City. No changes of any nature shall be made to the Zoning Map except in conformity with the procedures set forth in Article 30 of this Ordinance.

The official Zoning Map shall be located on file with the Planning and Community Development Department and shall be the final authority with regard to the current zoning status of all land in the City, regardless of the existence of copies of the Zoning Map, which may, from time to time, be made or published. This Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the following statement: "This is to certify that this is the Official Zoning Map of the City of Midland adopted on the eighth day of November, 2004."

Section 12.03 -- INTERPRETATION OF DISTRICT BOUNDARIES

The following rules shall apply to the interpretation of zoning district boundaries:

- A. Boundaries indicated as approximately following the center lines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such center line.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following the corporate limits of the City at the time of the adoption of this Ordinance shall be construed as following such limits.
- D. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of a change in shore line, the boundary shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines.
- E. Zoning district boundaries that are shown as being a continuation of or parallel to a road centerline, alley centerline, plat boundary line, or other feature, shall be construed as being a continuation of or parallel to such a feature. Distances not specified on the official Zoning Map shall be determined using the scale on the map. All streets, alleys and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets, alleys, or railroad rights-of-way.
- F. Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the Zoning Board of Appeals shall interpret the exact location of zoning district boundaries with the recommendation of the City Planning Commission.
- G. Insofar as some or all of the various districts may be indicated on the zoning map by patterns that, for the sake of map clarity, do not cover public rights-of-way, it is intended that such district boundaries do extend to the center of the rights-of-way.

Section 12.04 -- ZONING UPON ANNEXATION

Whenever any area is annexed to the City of Midland, one of the following conditions shall apply:

- 1. Where the newly annexed area was zoned previous to annexation, the then-existing zoning regulations for the annexed territory shall remain in full force and effect for a period of two (2) years after annexation, unless the City Council shall lawfully adopt another zoning by Ordinance.
- 2. Areas unzoned prior to annexation shall be considered for zoning in accordance with the provisions of State law and this Ordinance.

Section 12.05 -- ZONING OF VACATED AREAS

Whenever any street, alley, or other public way within the City of Midland is vacated by action of the City Council, and when the lands within the boundaries become a part of lands adjoining the vacated lands, then the vacated lands shall automatically and without further action of the City Council take on the

same zoning classification applicable to lands to which the vacated lands are attached. When the centerline of the vacated street, alley or other public right-of-way is a boundary between zoning districts, the vacated land on either side of the centerline shall automatically take on the same zoning classification applicable to lands to which the vacated lands are attached and the centerline shall remain the boundary.

Section 12.06 -- ZONING OF FILLED LAND

Whenever any fill is permitted in any stream or other body of water, the newly created land automatically and without further governmental action becomes subject to the same zoning regulations that are applicable to the land to which the newly created land attaches.

Section 12.07 -- DISTRICT REQUIREMENTS

Buildings and uses in any district shall be subject to all applicable standards and requirements set forth in this Zoning Ordinance, including but not limited to Article 26.00 - Schedule of Regulations.